

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15529 of 770 Limited Partnership, as amended, pursuant to 11 DCMR 3108.1, for special exception under Section 2108 to allow a reduction of parking for a non-residential use for renovation of an existing building for use as offices, storage and a day treatment center for handicapped adults in a C-M-1 District at premises 770 M Street, S.E., (Square 907, Lot 15).

HEARING DATE: July 17, 1991  
DECISION DATE: July 17, 1991 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2D and to owners of property within 200 feet of the site.

The site of the application is located in ANC 2D. ANC 2D, which is automatically a party to the application, did not submit written issues and concerns in the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 2108. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in opposition to this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, and that the requested relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and map and will not tend to affect adversely the use of neighboring property in accordance with said Zoning Regulations and maps. It is therefore **ORDERED** that the application is **GRANTED**, subject to the following **CONDITIONS**:

1. Applicant shall secure the use of off-street parking spaces for staff use at the Washington Navy Yard as stipulated in Exhibit No. 29 of the record.
2. Applicant shall secure the use of five to ten off-street parking spaces for staff use at the Arthur Copper housing development, 1011 - 7th Street, S.E.


3. Applicant shall provide thirteen off-street parking spaces in public space contiguous to the site subject to the approval of the D.C. Department of Public Works for the drop-off and pick-up of clients and short-term visitor parking.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 3-0 (Puala L. Jewell, Sheri M. Pruitt and Carrie L. Thornhill to approve; Charles R. Norris and William L. Ensign not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER:

AUG 2 1991

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHT ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

15529Order/bhs

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 15529

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on AUG 2 1991 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:


Cynthia A. Giordano, Esquire  
Linowes and Blocher  
800 K Street, N.W.  
Washington, D.C. 20001

770 Limited Partnership  
1000 Vermont Avenue, N.W.  
Washington, D.C. 20005

Dr. Elizabeth A. Abramowity  
PSI Associates, Inc.  
1000 Vermont Avenue, N.W.  
Washington, D.C. 20005

Theresa Howe Jones  
United Planning Organization  
810 Potomac Avenue, S.E.  
Washington, D.C. 20003

Willie Lloyd Reeves, Chairperson  
Advisory Neighborhood Commission 2-D  
400 Eye Street, N.W.  
Washington, D.C. 20024

  
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EDWARD L. CURRY  
Executive Director

DATE: AUG 2 1991

15529Att/bhs